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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/822,310

Applicant(s)

LAVOIE ET AL.

Examiner

RACHNA S. DESAI

Art Unit

2176

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 12-26 and 28-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 12-26, 28-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Amendments and Remarks filed on 07/03/08.
2. Claims 1-9, 12-26, and 28-44 are pending. Claims 1, 28, and 29 are independent claims.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1-9, 12-26 and 28-44 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Independent claim 1 is considered software per se. Computer programs may be explicitly claimed as, for example, a series of code or instructions for performing functions or may be implicitly claimed as, for example, a system, a module or an apparatus. Where there is no evidence in the specification that a means which may be interpreted as software, hardware or combinations thereof necessarily includes hardware, it will be interpreted in its broadest reasonable sense as a software means, which is the case here. Specifically, the processor on page 10, paragraph [0034] is

described as being software as such *"Processor 12 is a data processing device that can be implemented in hardware and/or software such as a computer, personal digital assistant, cell phone, organizer, web enabled television, and the like."*

Thus a claim to functional descriptive material, including computer programs, per se, is not patent eligible subject matter. It should be noted that functional descriptive material claimed in combination with an appropriate computer readable medium to enable the functionality to be realized is patent eligible subject matter if it is capable of producing a useful, concrete and tangible result when used in the computer system.

Dependent claims 2-9, 12-26 and 30-44 are rejected under 35 U.S.C. 101 for fully incorporating the deficiencies of their base claim from which they depend.

Similarly, independent claim 28 is considered software per se. Computer programs may be explicitly claimed as, for example, a series of code or instructions for performing functions or may be implicitly claimed as, for example, a system, a module or an apparatus. Where there is no evidence in the specification that a means which may be interpreted as software, hardware or combinations thereof necessarily includes hardware, it will be interpreted in its broadest reasonable sense as a software means, which is the case here. Specifically, the processor on page 10, paragraph [0034] is described as being software as such *"Processor 12 is a data processing device that can be implemented in hardware and/or software such as a computer, personal digital assistant, cell phone, organizer, web enabled television, and the like."* The output device is not necessarily hardware as it is outputting from the processor.

Thus a claim to functional descriptive material, including computer programs, per se, is not patent eligible subject matter. It should be noted that functional descriptive material claimed in combination with an appropriate computer readable medium to enable the functionality to be realized is patent eligible subject matter if it is capable of producing a useful, concrete and tangible result when used in the computer system.

Dependent claim 29 is rejected under 35 U.S.C. 101 for fully incorporating the deficiencies of their base claim form which they depend.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-2, 9, 13-14, 16, 18-23, 25, and 28-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gay, US 6,792,145 B2, 09/14/04 (filed on 06/08/01) in view of Zilberman, US 2006/0167772 A1, 07/27/06 (filed 10/30/02, provisional application filed on 10/30/02) and Zernik, US 7,260,773 B2, 08/21/07 (Continuation filed on 03/28/02).

Regarding claim 1, Gay teaches a pattern recognition process for text document interpretation. Gay teaches extracting textual and tabular data from financial documents. A comparison is made between the character strings of the financial document and the character strings provided in the previous financial documents which meets the preamble, ***an apparatus for generating a comparison of related subject matter found in two different financial documents***. See abstract.

Gay teaches his invention is directed to SEC documents such as 10-Q or 10-K financial documents which contain character strings and numerical data in tabular form. See column 1, lines 35-45 and column 2, lines 15-52. Comparisons are made between a raw SEC document containing tabular information that has been downloaded from a website and a new SEC financial document which also contains tabular information. See column 3, lines 35-67 and column 4, lines 1-38.

Gay teaches receiving the first and second document via a website wherein the documents are SEC documents such as 10-Q or 10-K financial documents which contain character strings and numerical data in tabular form which meets the limitation, ***a data processing device comprising a processor for receiving data corresponding to a first document comprising first document tabular numerical data and for further receiving data corresponding to a second document comprising second document tabular numerical data***. See column 1, lines 35-45 and column 2, lines 15-52 and column 3, lines 35-67 and column 4, lines 1-38.

Gay further teaches extracting a first valid character string from a previously existing financial document and comparing each string in a first/old document to the

character strings in the new/second financial document wherein each character string represents a numerical value that is stored in a database which meets the limitation, **a comparator comprised in said processor for comparing said first-document tabular numerical data to related second-document tabular numerical data**. See figure 1, column 2, lines 15-30, column 4, lines 14-67, and column 5, lines 1-40.

Gay teaches the comparison of the two documents results in the creation of a second matrix of character strings representing numerical data provided on a second plane in the database including those textual strings that are not included in the first matrix of textual strings (from the first document). See columns 5, lines 40-67 and column 6, lines 1-54.

EXAMINER NOTE: Determining which textual strings are new or not included in the first matrix of textual strings representing the first document and forming a second matrix is generating tabular delta data indicative of a "change" because it is identifying a new textual string in the second financial document which is considered a "change".

Gay teaches the first and second document tabular data contains text data and the comparator generates the text/tabular delta data which meets the limitations, **said first document further comprising first-document tabular text data and said second document further comprising second-document tabular text data; wherein said comparator further compares said first-document tabular text data to related second-document tabular text data to generate text tabular delta data**. See figure 1, column 2, lines 1-15 and 24-52, column 3, lines 35-66, column 4, and column 9, lines 59-62. See also figure 5.

Gay does not teach

generating numerical tabular delta data indicative of at least one of a difference and a percentage change between the related first-document tabular numerical data and said second-document tabular numerical data; the numerical tabular delta data is numerically different in amount from the related first-document tabular numerical data and second-document tabular numerical data

-or-

providing as output a modified version of said second-document having substantially the same arrangement of tabular text data and tabular numerical data as said second document; said modified version including indicia indicating a) said numerical tabular delta data that has been added to and deleted from said second-document relative to said first document and b) said text tabular delta data that has been added to and deleted from said second document relative to said first document.

However, Zilberman discloses interpreting financial documents in which financial inputs are evaluated against a predetermined value and the results of the evaluation including changes and percentage changes are produced which meets the limitation, ***the numerical tabular delta data is numerically different in amount from the related first-document tabular numerical data and second-document tabular numerical data.*** For example, a variable may represent a difference in percent of total assets or percent of sales between one entity and its competitor. See page 4, paragraph [0059] and page 6, paragraph [0068]. Zilberman's teachings of a percentage

change between tabular numerical data meets the limitation, ***generating numerical tabular delta data indicative of at least one of a difference and a percentage change between the related first-document tabular numerical data and said second-document tabular numerical data***. See page 4, paragraph [0059] and page 6, paragraph [0068]. Zilberman further teaches modifying the second document having tabular data to include delta data such as percentage changes between one financial document and another which meets the limitation, ***providing as output a modified version of said second-document having substantially the same arrangement of tabular text data and tabular numerical data as said second document***. See appendix D and E which show a "percentage change" and similar tabular text and numerical data as other financial documents.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Zilberman's depicting the change between financial information in the system of Gay because it provides for comparisons of financial information with previous periods, industry averages, etc in order to provide useful information and financial advice to a company or user to aid in their financial objectives. See page 1, paragraphs [0001]-[0005].

While Gay discloses first and second document tabular data contains text data and the comparator generates the text/tabular delta data (see figure 1, column 2, lines 1-15 and 24-52, column 3, lines 35-66, column 4, and column 9, lines 59-62. See also figure 5); Gay does not disclose ***indicia indicating a) said numerical tabular delta data that has been added to and deleted from said second-document relative to***

said first document and b) said text tabular delta data that has been added to and deleted from said second document relative to said first document.

However, Zernik discloses indicia indicating text tabular delta data that has been added or deleted such as in figures 11-12 and columns 18 and 19, lines 4-23 which meets the limitation, ***indicia indicating b) said text tabular delta data that has been added to and deleted from said second document relative to said first document.*** Zernick does not expressly state having ***indicia indicating a) said numerical tabular delta data that has been added to and deleted from said second-document relative to said first document.*** However, Zernick teaches having indicia indicating when data in a document has been added or deleted. It would have been obvious to one of ordinary skill in the art to extend Zernik's highlighting of changes occurring in text data to that of numerical data to achieve the predictable result of highlighting changes in a document.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Zernik's indication of text tabular delta data to the graphical user interface in Gay's system for storing the differences between financial documents in a database because it enables a user to view the differences between various versions of the same document. Furthermore, it was desirable at the time of the invention to highlight differences between documents. See abstract, columns 1-2, column 4, lines 64-67 and column 5, lines 4-16. Moreover, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have substituted

Zernick's method of indicating of delta data within Gay's system for indicating delta data to achieve the predictable result of displaying delta data.

Regarding claim 2, Gay does not teach displaying a modified version of a second-document; Zilberman further teaches modifying the second document having tabular data to include delta data such as percentage changes between one financial document and another which meets the limitation, ***providing as output a modified version of said second-document having substantially the same arrangement of tabular text data and tabular numerical data as said second document***. See appendix D and E which show a "percentage change" and similar tabular text and numerical data as other financial documents.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Zilberman's depicting the change between financial information in the system of Gay because it provides for comparisons of financial information with previous periods, industry averages, etc in order to provide useful information and financial advice to a company or user to aid in their financial objectives. See page 1, paragraphs [0001]-[0005].

Regarding claim 28, claim 28 is drawn to a system for the apparatus claimed in claim 1, and therefore is rejected under the same rationale used in claim 1 above.

Regarding claim 29, claim 29 is drawn to a method for the apparatus claimed in claim 1, and therefore is rejected under the same rationale used in claim 1 above.

Regarding claim 9, Gay teaches comparing character strings associated with the numerical data provided in the previous financial document with the character strings in the second financial document which meets the limitation ***compare sections of the first document tabular numerical data with related subject matter sections of said second document tabular numerical data based on tables***. See figure 1, column 4, lines 14-67 and column 5, lines 1-40.

Regarding claim 13, Gay does not teach the additions, deletions, and substitutions data are visually distinct from the tabular data; however, Zernick teaches displaying each of the additions, deletions, and substitutions data in a visually distinct manner as in figure 11 which meets the limitation, ***displaying the added and deleted data***.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Zernick's visually distinct display of additions, deletions, and substitutions data to the graphical user interface in Gay's system for storing the differences between financial documents in a database because it enables a user to view the differences between various versions of the same document. Furthermore, it was desirable at the time of the invention to provide a user with a list of the differences

between documents. See abstract, columns 1-2, column 4, lines 64-67 and column 5, lines 4-16.

Regarding claim 14, Gay does not teach the additions, deletions, and substitutions data are displayed in a third, fourth, and fifth manner respectively; however, Zernick teaches additions are displayed as text surrounded by blocks, deletions are displayed with a bar, and substitutions are displayed by a block. See figure 11.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Zernick's visually distinct display of additions, deletions, and substitutions data to the graphical user interface in Gay's system for storing the differences between financial documents in a database because it enables a user to view the differences between various versions of the same document. Furthermore, it was desirable at the time of the invention to provide a user with a list of the differences between documents. See abstract, columns 1-2, column 4, lines 64-67 and column 5, lines 4-16.

Regarding claim 16, Gay teaches comparing character strings associated with numerical data provided in the previous financial document with the character strings in the second financial document which meets the limitation ***compare sections of the first document tabular text and tabular numerical data with related subject matter sections of said second document tabular text and tabular numerical data based***

on at least one of tables, graphs, columns, rows, time units, idea units and line items. See figure 1, column 4, lines 14-67 and column 5, lines 1-40. Examiner Note: Line items are being interpreted as the character strings.

Regarding claim 18, Gay teaches the first and second documents comprise data in a text format. See columns 1-2. Gay further teaches these documents include one or more lines of textual material and one or more columns of data associated with each line of textual material. See column 1, lines 35-46. The textual strings are separated into a separate column from the columns of numerical data. Before comparing the first document to the second document, a first valid character string is extracted from the old/original document. See column 4, lines 14-38.

Regarding claim 19, Gay further teaches extracting a first valid character string from a previously existing financial document and comparing each string in a first/old document to the character strings in the new/second financial document. See figure 1, column 4, lines 14-67 and column 5, lines 1-40. Gay teaches the comparison of the two documents results in the creation of a second matrix of character strings provided on a second plane in the database including those textual strings that are not included in the first matrix of textual strings (from the first document) which meets the limitation ***generate text delta data***. See columns 5, lines 40-67 and column 6, lines 1-54.

Regarding claim 20, Gay teaches the delta data can include data that has been added in the new financial document. See column 2, lines 1-15 and column 9, lines 59-62. Gay does not teach the text delta data includes deletions data; however, Zernik teaches providing deletions data (i.e. a list of deletions between one document and another) to an output screen. See figure 12 and columns 18 and 19, lines 4-23.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Zernik's display of deletions data to the graphical user interface in Gay's system for storing the differences between financial documents in a database because it enables a user to view the differences between various versions of the same document. Furthermore, it was desirable at the time of the invention to provide a user with a list of the differences between documents. See abstract, columns 1-2, column 4, lines 64-67 and column 5, lines 4-16.

Regarding claim 21, Gay teaches the delta data can include data that has been added in the new financial document. See column 2, lines 1-15 and column 9, lines 59-62. Gay does not teach the text delta data includes deletions data; however, Zernik teaches providing deletions data (i.e. a list of deletions between one document and another) to an output screen. See figure 12 and columns 18 and 19, lines 4-23.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Zernik's display of deletions data to the graphical user interface in Gay's system for storing the differences between financial documents in a database because it enables a user to view the differences between various versions of

the same document. Furthermore, it was desirable at the time of the invention to provide a user with a list of the differences between documents. See abstract, columns 1-2, column 4, lines 64-67 and column 5, lines 4-16.

Regarding claim 22, Gay does not teach the additions, deletions, and substitutions data are visually distinct from the tabular data; however, Zernick teaches displaying each of the additions, deletions, and substitutions data in a visually distinct manner as in figure 11 which meets the limitation, ***wherein said additions, deletions, and substitutions data is displayed on said user interface as visually distinct from said first document text data and said second document text data.***

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Zernick's visually distinct display of additions, deletions, and substitutions data to the graphical user interface in Gay's system for storing the differences between financial documents in a database because it enables a user to view the differences between various versions of the same document. Furthermore, it was desirable at the time of the invention to provide a user with a list of the differences between documents. See abstract, columns 1-2, column 4, lines 64-67 and column 5, lines 4-16.

Regarding claim 23, Gay does not teach the additions, deletions, and substitutions data are displayed in a third, fourth, and fifth manner respectively; however, Zernick teaches additions are displayed as text surrounded by blocks,

deletions are displayed with a bar, and substitutions are displayed by a block. See figure 11.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Zemik's visually distinct display of additions, deletions, and substitutions data to the graphical user interface in Gay's system for storing the differences between financial documents in a database because it enables a user to view the differences between various versions of the same document. Furthermore, it was desirable at the time of the invention to provide a user with a list of the differences between documents. See abstract, columns 1-2, column 4, lines 64-67 and column 5, lines 4-16.

Regarding claim 25, Gay teaches comparing character strings provided in the previous financial document with the character strings in the second financial document which meets the limitation ***compare sections of the first document text/tabular data with related subject matter sections of said second document text/tabular data based on at least one of tables, graphs, columns, rows, time units, idea units and line items***. See figure 1, column 4, lines 14-67 and column 5, lines 1-40. Examiner Note: Line items are being interpreted as the character strings.

Regarding claim 30, Gay does not teach comparing sections of the first and second document based on graphs; however, Zilberman discloses interpreting financial documents in which financial inputs are evaluated against a predetermined value and

the results of the evaluation including changes and percentage changes in the form are produced. See page 4, paragraph [0059] and page 6, paragraph [0068]. Zilberman's system includes graphics capabilities so that in addition to outputting text, graphs and charts can be output to illustrate the evaluated relationships such as the change and percentage change between previous periods. See page 6, paragraph [0068].

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Zilberman's insertion of a graphic depicting the change between financial information in the system of Gay because it would visually display comparisons of information with previous periods, industry averages, etc. See page 6, paragraph [0068].

Regarding claims 31 and 32, Gay teaches comparing items from the first document to those of second document based on columns and rows where a column includes data and the rows contain a data item. See columns 2-3.

Regarding claim 33, Gay teaches comparing items from a first document to a second document which can include time units. See columns 2-3.

Regarding claim 34, Gay teaches comparing items from a first document to a second document which can include idea units. See columns 2-3.

Regarding claim 35, Gay teaches comparing character strings in the first document with a second document. Line items are interpreted as character strings. See figure 1, column 4, lines 14-67 and column 5, lines 1-40.

Regarding claim 36, Gay does not teach the change is a mathematical difference amount; however, Zilberman discloses interpreting financial documents in which financial inputs are evaluated against a predetermined value and the results of the evaluation including changes and percentage changes in the form are produced. See page 4, paragraph [0059] and page 6, paragraph [0068]. Zilberman's system includes graphics capabilities so that in addition to outputting text, graphs and charts can be output to illustrate the evaluated relationships such as the change and percentage change between previous periods. See page 6, paragraph [0068].

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Zilberman's depicting the change between financial information in the system of Gay because it provides for comparisons of financial information with previous periods, industry averages, etc in order to provide useful information and financial advice to a company or user to aid in their financial objectives. See page 1, paragraphs [0001]-[0005].

Regarding claim 37, Gay does not teach the change is a mathematical difference amount comprises a subtraction amount; however, Zilberman discloses interpreting financial documents in which financial inputs are evaluated against a

predetermined value and the results of the evaluation including changes and percentage changes in the form are produced. See page 4, paragraph [0059] and page 6, paragraph [0068]. Zilberman's system includes graphics capabilities so that in addition to outputting text, graphs and charts can be output to illustrate the evaluated relationships such as the change and percentage change between previous periods. See page 6, paragraph [0068].

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Zilberman's depicting the change between financial information in the system of Gay because it provides for comparisons of financial information with previous periods, industry averages, etc in order to provide useful information and financial advice to a company or user to aid in their financial objectives. See page 1, paragraphs [0001]-[0005].

Regarding claim 38, Gay does not teach the change is a percentage change; however, Zilberman discloses interpreting financial documents in which financial inputs are evaluated against a predetermined value and the results of the evaluation including changes and percentage changes in the form are produced. See page 4, paragraph [0059] and page 6, paragraph [0068]. Zilberman's system includes graphics capabilities so that in addition to outputting text, graphs and charts can be output to illustrate the evaluated relationships such as the change and percentage change between previous periods. See page 6, paragraph [0068].

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Zilberman's depicting the change between financial information in the system of Gay because it provides for comparisons of financial information with previous periods, industry averages, etc in order to provide useful information and financial advice to a company or user to aid in their financial objectives. See page 1, paragraphs [0001]-[0005].

Regarding claim 39, Gay teaches the numerical data is financial metric data. See columns 1-2 and abstract.

Regarding claim 40, Gay teaches comparing two document which could be of the same financial institution. See abstract and columns 1-2.

Regarding claim 41, Gay teaches comparing two document which could be of the same financial institution or security. See abstract and columns 1-2.

7. Claims 3-8, 12, 15, 17, 24, 26 and 42-44, are rejected under 35 U.S.C. 103(a) as being unpatentable over Gay, US 6,792,145 B2, 09/14/04 (filed on 06/08/01) in view of Zilberman, US 2006/0167772 A1, 07/27/06 (filed 10/30/02, provisional application filed on 10/30/02) and Zernik, US 7,260,773 B2, 08/21/07 (Continuation filed on 03/28/02), as applied to independent claims 1, 28, and 29 above, and further in view of Horton, US 2004/0230892 A1, 11/18/04 (filed 03/17/04, provisional application filed on 03/17/03).

Regarding claim 3, Gay/Zilberman/Zernick do not teach the numerical tabular delta data is delivered on a user interface as visually distinct from the first-document tabular numerical data and said second-document numerical tabular data. However, Horton teaches a system and method for document project management in which the original portion of a document and each of a plurality of proposed revisions are displayed simultaneously wherein the differences are highlighted in order to make it easy to find the differences which meets the limitation, ***wherein said tabular delta data is delivered on a user interface as visually distinct from the tabular data.*** See page 1, paragraphs [0012]-[0019] and figure 1. Highlighted the differences by italicizing certain words is providing a means to visually distinct the delta data from the tabular data.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Horton's display of a portion of the original document and changes to that portion in a graphical user interface in Gay's system for storing the differences between financial documents in a database because it enables a user to simultaneously view the differences between various versions of the same document. This was desirable at the time of the invention in order to provide a user with a simultaneous, side-by-side comparison of the differences between documents. See page 1, paragraphs [0003]-[0015].

Regarding claim 4, Gay teaches the numerical tabular delta data indicates a difference between the first and second document tabular data. Gay does not teach it

also displays a percentage change between the first document tabular numerical data and the second-document tabular numerical data, and wherein said visually distinct numerical tabular delta data for the difference change between the first document tabular numerical data and the second document tabular numerical data is represented in a first manner and the percentage change in a second manner.

However, Zilberman discloses interpreting financial documents in which financial inputs are evaluated against a predetermined value and the results of the evaluation including changes and percentage changes are produced which meets the limitation, ***displaying a percentage change***. For example, a variable may represent a difference in percent of total assets or percent of sales between one entity and its competitor. See page 4, paragraph [0059] and page 6, paragraph [0068]. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Zilberman's depicting the change between financial information in the system of Gay because it provides for comparisons of financial information with previous periods, industry averages, etc in order to provide useful information and financial advice to a company or user to aid in their financial objectives. See page 1, paragraphs [0001]-[0005].

Furthermore, Horton teaches a system and method for document project management in which the original portion of a document and each of a plurality of proposed revisions are displayed simultaneously wherein the differences are highlighted in order to make it easy to find the differences which meets the limitation, ***wherein said tabular delta data is delivered on a user interface as visually distinct from the tabular data in a first manner***. See page 1, paragraphs [0012]-[0019] and figure 1.

Highlighted the differences by italicizing certain words is providing a means to visually distinct the delta data from the tabular data.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Horton's display of a portion of the original document and changes to that portion in a graphical user interface in Gay's system for storing the differences between financial documents in a database because it enables a user to simultaneously view the differences between various versions of the same document. This was desirable at the time of the invention in order to provide a user with a simultaneous, side-by-side comparison of the differences between documents. See page 1, paragraphs [0003]-[0015].

Regarding claim 5, Gay does not teach displaying a plurality of visually distinct tabular delta data; however, Horton teaches a system and method for document project management in which the original portion of a document and each of a plurality of proposed revisions are displayed simultaneously wherein the differences are highlighted in order to make it easy to find the differences which meets the limitation, ***a plurality of visually distinct numerical tabular delta data***. page 1, paragraphs [0012]-[0019] and figure 1. Figure 1 displays multiple drafts indicating a plurality of differences.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Horton's display of a portion of the original document and changes to that portion in a graphical user interface in Gay's system for storing the differences between financial documents in a database because it enables a user to

simultaneously view the differences between various versions of the same document. This was desirable at the time of the invention in order to provide a user with a simultaneous, side-by-side comparison of the differences between documents. See page 1, paragraphs [0003]-[0015].

Regarding claim 6, Gay does not teach that the tabular delta data delivered on the user interface is chronicle by at least one of numeric, alphabetic, alphanumeric, and consecutive sequence units. However, Horton teaches delivering tabular delta data chronicle by a draft number relating to the version of the document. See figure 1.

Regarding claim 7, Gay does not teach inserting a graphic into the tabular delta data indicative of change magnitude for each change between related subject matter of the first tabular data and the second document tabular data; however, Zilberman teaches an electronic interpretation of financials in which financial inputs related to an entity are evaluated against predetermined values. See abstract, page 1, paragraphs [0006]-[0011]. Zilberman's system includes graphics capabilities so that in addition to outputting text, graphs and charts can be output to illustrate the evaluated relationships such as the change and percentage change between previous periods which meets the limitation ***inserting a graphic into the tabular delta data indicative of change magnitude for each change between related subject matter of the first tabular data and the second document tabular data***. See page 6, paragraph [0068].

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Zilberman's insertion of a graphic depicting the change between financial information in the system of Gay because it would visually display comparisons of information with previous periods, industry averages, etc. See page 6, paragraph [0068].

Regarding claim 8, Gay does not teach the graphic is comprised of at least one of graphs, charts, statistics, and images. Zilberman's system includes graphics capabilities so that in addition to outputting text, graphs and charts can be output to illustrate the evaluated relationships. See page 6, paragraph [0068]. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Zilberman's insertion of a graphic depicting the change between financial information in the system of Gay because it would visually display comparisons of information with previous periods, industry averages, etc. See page 6, paragraph [0068].

Regarding claim 12, Gay does not teach a user interface displays at least one of said additions and substitutions data; however, Horton teaches a system and method for document project management in which the original portion of a document and each of a plurality of proposed revisions are displayed simultaneously wherein any additions, deletions, and substitutions are highlighted which meets the limitation, **a user interface**

for displaying at least one of said additions data and substitutions data. See page 1, paragraphs [0012]-[0019], page 3, paragraph [0069], and figure 1.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Horton's display of a portion of the original document and changes to that portion in a graphical user interface in Gay's system for storing the differences between financial documents in a database because it enables a user to simultaneously view the differences between various versions of the same document. This was desirable at the time of the invention in order to provide a user with a simultaneous, side-by-side comparison of the differences between documents. See page 1, paragraphs [0003]-[0015].

Regarding claim 15, Gay does not teach that deletions data delivered on the user interface is chronicled by at least one of numeric, alphabetic, alphanumeric, and consecutive sequence units. However, Horton teaches delivering tabular delta data, indicative of changes made to the document, are chronicled by a draft number relating to the version of the document. See figure 1.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Horton's chronicle in a graphical user interface in Gay's system for storing the differences between financial documents in a database because it enables a user to determine the differences between various versions of the same document. This was desirable at the time of the invention in order to provide a user with versions of the differences between documents. See page 1, paragraphs [0003]-[0015].

Regarding claims 42-44, Gay does not teach displaying the sequence units in a substantial horizontal alignment; however, Zernick teaches displaying the versions associated with deletions, additions, and substitutions in a horizontal alignment as in figure 11.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Zemik's display of deletions data to the graphical user interface in Gay's system for storing the differences between financial documents in a database because it enables a user to view the differences between various versions of the same document. Furthermore, it was desirable at the time of the invention to provide a user with a list of the differences between documents. See abstract, columns 1-2, column 4, lines 64-67 and column 5, lines 4-16.

Regarding claim 17, Gay does not teach integrated at least two of the tabular delta data, text/tabular delta data, tabular data, and text/tabular data for delivery on a user interface. Horton teaches integrating tabular delta data and tabular data for delivery on a user interface as depicted in claim 1. Horton teaches a system and method for document project management in which the original portion of a document and each of a plurality of proposed revisions are displayed simultaneously. See page 1, paragraphs [0012]-[0019] and figure 1.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Horton's display of a portion of the original document and

changes to that portion in a graphical user interface in Gay's system for storing the differences between financial documents in a database because it enables a user to simultaneously view the differences between various versions of the same document. This was desirable at the time of the invention in order to provide a user with a simultaneous, side-by-side comparison of the differences between documents. See page 1, paragraphs [0003]-[0015].

Regarding claim 24, Gay does not teach that one of the additions, substitutions, or deletions data delivered on the user interface is chronicled by at least one of numeric, alphabetic, alphanumeric, and consecutive sequence units. However, Horton teaches delivering tabular delta data, indicative of changes made to the document, are chronicled by a draft number relating to the version of the document. See figure 1.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Horton's chronicle in a graphical user interface in Gay's system for storing the differences between financial documents in a database because it enables a user to determine the differences between various versions of the same document. This was desirable at the time of the invention in order to provide a user with versions of the differences between documents. See page 1, paragraphs [0003]-[0015].

Regarding claim 26, Gay does not teach integrated at least two of the tabular delta data, text/tabular delta data, tabular data, and text/tabular data for delivery on a user interface. Horton teaches integrating tabular delta data and tabular data for

delivery on a user interface as depicted in claim 1. Horton teaches a system and method for document project management in which the original portion of a document and each of a plurality of proposed revisions are displayed simultaneously. See page 1, paragraphs [0012]-[0019] and figure 1.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Horton's display of a portion of the original document and changes to that portion in a graphical user interface in Gay's system for storing the differences between financial documents in a database because it enables a user to simultaneously view the differences between various versions of the same document. This was desirable at the time of the invention in order to provide a user with a simultaneous, side-by-side comparison of the differences between documents. See page 1, paragraphs [0003]-[0015].

Response to Arguments

8. Applicant's arguments filed 07/03/08 have been fully considered but they are not persuasive.

The rejections under 35 USC 112, first paragraph have been withdrawn. The rejections under 35 USC 101 are maintained because the language in the Specification defines the processor on page 10, paragraph [0034] as "***Processor 12 is a data processing device that can be implemented in hardware and/or software such as a***

computer, personal digital assistant, cell phone, organizer, web enabled television, and the like."

On pages 12-15, Applicant argues claims 1, 28, and 29 distinguish over the prior art because none of the prior art discloses indicia corresponding to numerical delta data that has been added or deleted and text tabular delta data that has been added or deleted.

As stated in the rejections above, while Gay discloses first and second document tabular data contains text data and the comparator generates the text/tabular delta data (see figure 1, column 2, lines 1-15 and 24-52, column 3, lines 35-66, column 4, and column 9, lines 59-62. See also figure 5); Gay does not disclose ***indicia indicating a) said numerical tabular delta data that has been added to and deleted from said second-document relative to said first document and b) said text tabular delta data that has been added to and deleted from said second document relative to said first document.*** However, Zernik discloses indicia indicating text tabular delta data that has been added or deleted such as in figures 11-12 and columns 18 and 19, lines 4-23 which meets the limitation, ***indicia indicating b) said text tabular delta data that has been added to and deleted from said second document relative to said first document.*** Zernick does not expressly state having ***indicia indicating a) said numerical tabular delta data that has been added to and deleted from said second-document relative to said first document.*** However, Zernick teaches having indicia indicating when data in a document has been added or deleted. It would have been obvious to one of ordinary skill in the art to extend Zernik's highlighting of changes

occurring in text data to that of numerical data to achieve the predictable result of highlighting changes in a document. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Zemik's indication of text tabular delta data to the graphical user interface in Gay's system for storing the differences between financial documents in a database because it enables a user to view the differences between various versions of the same document. Furthermore, it was desirable at the time of the invention to highlight differences between documents. See abstract, columns 1-2, column 4, lines 64-67 and column 5, lines 4-16. Moreover, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have substituted Zernick's method of indicating of delta data within Gay's system for indicating delta data to achieve the predictable result of displaying delta data.

Applicant argues the prior art does not teach a modified version of the second document. Zilberman teaches modifying the second document having tabular data to include delta data such as percentage changes between one financial document and another which meets the limitation, ***providing as output a modified version of said second-document having substantially the same arrangement of tabular text data and tabular numerical data as said second document.*** See appendix D and E which show a "percentage change" and similar tabular text and numerical data as other financial documents. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Zilberman's depicting the change between financial information in the system of Gay because it provides for comparisons of financial information with previous periods, industry averages, etc in order to provide

useful information and financial advice to a company or user to aid in their financial objectives. See page 1, paragraphs [0001]-[0005].

Applicant argues some of the dependent claims recite "substitutions data" and none of the prior art teaches substitutions data; however, the substitutions data can include data that has been added. As stated in the rejections above, Zemik discloses indicia indicating text tabular delta data that has been added or deleted such as in figures 11-12 and columns 18 and 19, lines 4-23.

In view of the comments above, the rejections are maintained.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachna Singh whose telephone number is 571-272-4099. The examiner can normally be reached on M-F (8:30AM-6:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Rachna S Desai/
Primary Examiner, Art Unit 2176
10/10/08